IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.27235 of 2008
RAMKESHI SHAH
Versus

STATE OF BIHAR
- - - -

2. 4.8.2008 Heard.

The case is under Section 307 and other Sections of the Indian Penal Code and 27 of the Arms Act and there is general allegation against all the accused persons that they assaulted the informant with Ballam and garansa. The photocopy of the injury report which has been produced before me during the hearing of the present petition indicates one lacerated wound on the left parietal region of skull measuring 2"X ½"Xskin deep and another abrasion on the left knee measuring 1"X1/2".

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The learned Sessions Judge in his rejection order has drawn an inference by making reference to the record as if the allegations were directly against the petitioner and that allegation was borne out from the injury report. I have indicated the medical report and that does not correspond to the weapon allegedly used.

The contention is that the parties are

co-sharers of some of the properties and the dispute arose on that account. There is a counter version also and now the parties have compromised not only the present case but all the cases including the Title Suit.

Regard being had to the allegation and the facts as indicated above, let the above named petitioner be directed to be released from custody on his furnishing a bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Kaimur at Bhabua in Ramgrah P.S.Case No. 69 of 2007.

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Kanth

(Dharnidhar Jha, J.)